



General Assembly

Substitute Bill No. 5480

January Session, 2013



**AN ACT REQUIRING AN ASSESSMENT OF THE USE OF CERTAIN
PESTICIDES AT THE UNIVERSITY OF CONNECTICUT PLANT
SCIENCE RESEARCH AND EDUCATION FACILITY AND
PROHIBITING TAMPERING WITH HYDRANTS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) (a) Not later than October
2 31, 2013, the Department of Energy and Environmental Protection, in
3 consultation with the Department of Public Health, shall conduct an
4 assessment of the practices employed at The University of Connecticut
5 Plant Science Research and Education Facility. Such assessment shall
6 include, but need not be limited to: (1) An examination of the
7 procedures for the storage and application of pesticides at said facility,
8 (2) a review of the protocols used to ensure the safe application of
9 pesticides, including, but not limited to, any pesticide that requires an
10 experimental use permit issued by the United States Environmental
11 Protection Agency, and (3) an evaluation of the water testing regimen
12 at said facility, including, but not limited to, a review of the timing,
13 locations and types of such testing, the number of wells subject to such
14 testing and the types of pesticides identified by such testing.

15 (b) Not later than February 1, 2014, the Departments of Energy and
16 Environmental Protection and Public Health shall submit to the joint
17 standing committee of the General Assembly having cognizance of

18 matters relating to the environment any recommendations for
19 legislation or revised practices at said facility that the departments
20 determine are necessary as a result of the assessment conducted
21 pursuant to subsection (a) of this section.

22 Sec. 2. (NEW) (*Effective from passage*) No person shall open, operate,
23 take water from or tamper with any hydrant or otherwise take water
24 from or tamper with any public water supply reservoir without: (1)
25 The legal authority to take such action, or (2) the consent of the water
26 utility, municipality or other entity that owns or controls such hydrant
27 or public water supply reservoir. Any person who violates the
28 provisions of this section shall be fined five hundred dollars for the
29 first offense and one thousand dollars for any subsequent offense.

30 Sec. 3. Subsection (b) of section 51-164n of the general statutes is
31 repealed and the following is substituted in lieu thereof (*Effective from*
32 *passage*):

33 (b) Notwithstanding any provision of the general statutes, any
34 person who is alleged to have committed (1) a violation under the
35 provisions of section 1-9, 1-10, 1-11, 4b-13, 7-13, 7-14, 7-35, 7-41, 7-83, 7-
36 283, 7-325, 7-393, 8-12, 8-25, 8-27, 9-63, 9-322, 9-350, 10-193, 10-197, 10-
37 198, 10-230, 10-251, 10-254, 12-52, 12-170aa, 12-292 or 12-326g,
38 subdivision (4) of section 12-408, subdivision (3), (5) or (6) of section
39 12-411, section 12-435c, 12-476a, 12-476b, 12-487, 13a-71, 13a-107, 13a-
40 113, 13a-114, 13a-115, 13a-117b, 13a-123, 13a-124, 13a-139, 13a-140, 13a-
41 143b, 13a-247 or 13a-253, subsection (f) of section 13b-42, section 13b-
42 90, 13b-221, 13b-292, 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or
43 13b-410c, subsection (a), (b) or (c) of section 13b-412, section 13b-414,
44 subsection (d) of section 14-12, section 14-20a or 14-27a, subsection (e)
45 of section 14-34a, subsection (d) of section 14-35, section 14-43, 14-49,
46 14-50a or 14-58, subsection (b) of section 14-66, section 14-66a, 14-66b
47 or 14-67a, subsection (g) of section 14-80, subsection (f) of section 14-
48 80h, section 14-97a, 14-100b, 14-103a, 14-106a, 14-106c, 14-146, 14-152,
49 14-153 or 14-163b, a first violation as specified in subsection (f) of
50 section 14-164i, section 14-219 as specified in subsection (e) of said

51 section, subdivision (1) of section 14-223a, section 14-240, 14-249, 14-
 52 250 or 14-253a, subsection (a) of section 14-261a, section 14-262, 14-264,
 53 14-267a, 14-269, 14-270, 14-275a, 14-278 or 14-279, subsection (e) or (h)
 54 of section 14-283, section 14-291, 14-293b, 14-296aa, 14-319, 14-320, 14-
 55 321, 14-325a, 14-326, 14-330 or 14-332a, subdivision (1), (2) or (3) of
 56 section 14-386a, section 15-25 or 15-33, subdivision (1) of section 15-97,
 57 subsection (a) of section 15-115, section 16-44, 16-256, 16-256e, 16a-15 or
 58 16a-22, subsection (a) or (b) of section 16a-22h, section 17a-24, 17a-145,
 59 17a-149, 17a-152, 17a-465, 17a-642, 17b-124, 17b-131, 17b-137 or 17b-
 60 734, subsection (b) of section 17b-736, section 19a-30, 19a-33, 19a-39 or
 61 19a-87, subsection (b) of section 19a-87a, section 19a-91, 19a-105, 19a-
 62 107, 19a-113, 19a-215, 19a-219, 19a-222, 19a-224, 19a-286, 19a-287, 19a-
 63 297, 19a-301, 19a-309, 19a-335, 19a-336, 19a-338, 19a-339, 19a-340, 19a-
 64 425, 19a-502, 20-7a, 20-14, 20-158, 20-231, 20-249, 20-257, 20-265, 20-
 65 324e, 20-341l, 20-366, 20-597, 20-608, 20-610, 21-1, 21-30, 21-38, 21-39,
 66 21-43, 21-47, 21-48, 21-63 or 21-76a, subdivision (1) of section 21a-19,
 67 section 21a-21, subdivision (1) of subsection (b) of section 21a-25,
 68 section 21a-26 or 21a-30, subsection (a) of section 21a-37, section 21a-
 69 46, 21a-61, 21a-63 or 21a-77, subsection (b) of section 21a-79, section
 70 21a-85 or 21a-154, subdivision (1) of subsection (a) of section 21a-159,
 71 subsection (a) of section 21a-279a, section 22-12b, 22-13, 22-14, 22-15,
 72 22-16, 22-29, 22-34, 22-35, 22-36, 22-38, 22-39, 22-39a, 22-39b, 22-39c, 22-
 73 39d, 22-39e, 22-49, 22-54, 22-61, 22-89, 22-90, 22-98, 22-99, 22-100, 22-
 74 111o, 22-167, 22-279, 22-280a, 22-318a, 22-320h, 22-324a, 22-326 or 22-
 75 342, subsection (b), (e) or (f) of section 22-344, section 22-359, 22-366,
 76 22-391, 22-413, 22-414, 22-415, 22a-66a or 22a-246, subsection (a) of
 77 section 22a-250, subsection (e) of section 22a-256h, section 22a-363, 22a-
 78 381d, 22a-449, 22a-461, 23-37, 23-38, 23-46 or 23-61b, subsection (a) or
 79 subdivision (1) of subsection (c) of section 23-65, section 25-37 or 25-40,
 80 subsection (a) of section 25-43, section 2 of this act, section 25-135, 26-
 81 18, 26-19, 26-21, 26-31, 26-40, 26-40a, 26-42, 26-49, 26-54, 26-56, 26-58 or
 82 26-59, subdivision (1) of subsection (d) of section 26-61, section 26-64,
 83 subdivision (1) of section 26-76, section 26-79, 26-87, 26-89, 26-91, 26-94,
 84 26-97, 26-98, 26-104, 26-105, 26-107, 26-117, 26-128, 26-131, 26-132, 26-
 85 138 or 26-141, subdivision (1) of section 26-186, section 26-207, 26-215,

86 26-217 or 26-224a, subdivision (1) of section 26-226, section 26-227, 26-
 87 230, 26-232, 26-244, 26-257a, 26-260, 26-276, 26-284, 26-285, 26-286, 26-
 88 288, 26-294, 28-13, 29-6a, 29-25, 29-109, 29-143o, 29-143z or 29-156a,
 89 subsection (b), (d), (e) or (g) of section 29-161q, section 29-161y or 29-
 90 161z, subdivision (1) of section 29-198, section 29-210, 29-243 or 29-277,
 91 subsection (c) of section 29-291c, section 29-316, 29-318, 29-381, 30-48a,
 92 30-86a, 31-3, 31-10, 31-11, 31-12, 31-13, 31-14, 31-15, 31-16, 31-18, 31-23,
 93 31-24, 31-25, 31-32, 31-36, 31-38, 31-38a, 31-40, 31-44, 31-47, 31-48, 31-51,
 94 31-51k, 31-52, 31-52a or 31-54, subsection (a) or (c) of section 31-69,
 95 section 31-70, 31-74, 31-75, 31-76, 31-76a, 31-89b or 31-134, subsection
 96 (i) of section 31-273, section 31-288, subdivision (1) of section 35-20,
 97 section 36a-787, 42-230, 45a-283, 45a-450, 45a-634 or 45a-658,
 98 subdivision (13) or (14) of section 46a-54, section 46a-59, 46b-22, 46b-24,
 99 46b-34, 47-34a, 47-47, 49-8a, 49-16, 53-133, 53-199, 53-212a, 53-249a, 53-
 100 252, 53-264, 53-280, 53-302a, 53-303e, 53-311a, 53-321, 53-322, 53-323, 53-
 101 331, 53-344 or 53-450, or (2) a violation under the provisions of chapter
 102 268, or (3) a violation of any regulation adopted in accordance with the
 103 provisions of section 12-484, 12-487 or 13b-410, or (4) a violation of any
 104 ordinance, regulation or bylaw of any town, city or borough, except
 105 violations of building codes and the health code, for which the penalty
 106 exceeds ninety dollars but does not exceed two hundred fifty dollars,
 107 unless such town, city or borough has established a payment and
 108 hearing procedure for such violation pursuant to section 7-152c, shall
 109 follow the procedures set forth in this section.

110 Sec. 4. (*Effective July 1, 2013*) (a) Up to \$100,000 of the amount
 111 appropriated in section 1 of house bill 6350 of the current session to
 112 The University of Connecticut, for Operating Expenses, for the fiscal
 113 year ending June 30, 2014, shall be transferred to the Department of
 114 Energy and Environmental Protection, for Other Expenses, for the
 115 fiscal year ending June 30, 2014, for the purpose of performing an
 116 investigation into the quality of groundwater flow in bedrock.

117 (b) The University of Connecticut and the Department of Energy
 118 and Environmental Protection shall enter into a memorandum of

119 understanding to effectuate the purpose of subsection (a) of this
120 section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	51-164n(b)
Sec. 4	<i>July 1, 2013</i>	New section

APP *Joint Favorable Subst.*